

By Brian Vaughan

Choosing a Career in Public Service

The rewards of practicing law in the public sector outweigh the financial disincentives

Before beginning a term as a law clerk, I considered the stand I was taking on a debate waged in student lounges in law schools across the nation. How could I forego inflated first-year associate salaries and bonuses in exchange for a more modest living in the public sector? Worst of all, I was headed for Los Angeles—a destination geographically and metaphysically distant from my Midwestern ivory tower. Could I settle for a Volkswagen in a city where every other car is a Beemer or a Benz?

This debate was already familiar to me. Before joining the California Attorney General's Office, I had engaged in public service during and immediately following college. I was aware of the financial disincentives. I did not fully appreciate, however, the opportunity for learning my trade that practice in the public sector would give me.

Like most litigators, I live for the courtroom. For many new attorneys, experience before the bench is an ongoing education. Nothing forces attorneys to develop their skills quite like interaction before the bench. As a deputy attorney general, I was shoved up the courthouse steps to handle writ of mandate proceedings, and I even argued before the late Justice Mildred Lillie at the court of appeal.

At that time, I was merely a little over a year out of law school, and my choice was already beginning to reap benefits. I discovered that public service allowed a less-experienced attorney to gain an invaluable lead on peers who entered private practice. Two years and a jury trial later, I have been fortunate to gain insights into the practice of law that others might only accumulate after five or six years.

A public service post benefits more experienced attorneys as well. Many lawyers are able to use skills accrued in private practice to manage their caseload independently. In the public sector, complex hierarchies of overseers are absent, and fewer cases that are tried by committee. Likewise, client contact is unfiltered—a ring of the phone may bring any public sector attorney in contact with the mayor's office or the chief counsel for the governor.

Practice areas are as equally diverse as they are in the private sector. Opportunities arise based upon shifts in public policy and the needs of the client. At the state level, for example, the energy crisis has resulted in the formation of the attorney general's Energy Task Force, which is committed to safeguarding the interests of consumers. Work is also available on issues on the political forefront, such as police accountability and racial profiling. In concert with more traditional work ranging from capital punishment to environmental protection, and from advising the judiciary to dependent advocacy, assignments can be as varied as they are challenging. Whether you are a prosecutor protecting public safety or a defense attorney keeping watch over the public coffers, you have an opportunity to convey a direct benefit to the community.

One of the biggest benefits of public service is the ability to pursue other interests outside the office. In the absence of pressure to achieve minimum billable hours, attorneys are able to contribute to other good works. The public sector is well represented in the administration of local and statewide bar activities. Within the Barristers, for example, several committee chairs and executive committee positions are filled by public sector volunteers who enhance the overall benefit of legal services to the greater Los Angeles community. Many also engage in pro bono programs administered by the bar.

This is not a new phenomenon. Attorneys who find themselves engaged in public service are frequent volunteers. As the legal profession continues to change, law schools are placing greater emphasis on services for low- and middle-income clients (71 and 61 percent of whom, respectively, go without legal representation in civil matters). Meanwhile, major law firms, in part due to increased salaries for first-year associates, are performing less pro bono work than in the past. Recent data indicates that a typical big firm lawyer performs less than 42 hours of pro bono work per year.¹

Perhaps the most important benefit for a new attorney in public practice is the opportunity to practice law in an open and constructive learning environment. The substantive work provides the basis for evaluation. Assignments are distributed in an equitable manner. Supervisors assist employees experiencing burnout in an attempt to retain talented professionals. This is due in part to the self-motivated nature of the public service attorney, who derives satisfaction from excelling in his or her work, and to the nurturing environment, a primary goal of which is to encourage self-confidence and embolden all employees to succeed in any endeavor. Meritocracy remains a measure of good government, and this axiom is no less applicable to public legal services.

In the legal profession, there are as many different goals and needs as there are lawyers and clients. For some, a career in public service enables advancement toward laudable goals. Moreover, past achievements may give rise to new opportunities and a desire to redefine objectives to suit one's needs. In the public sector, the objective is to develop practice skills that lead to proficient advocacy—a noble aim for any attorney. ■



Brian Vaughan is cochair of the Barristers Bench and Bar Relations Committee.

¹ Winter, *Aiming for Affordable Justice, Law Schools Urge Starting Small, and Thinking Locally*, N.Y. TIMES, Dec. 16, 2002, at A26.